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1636

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*Admitted only in Maryland *Admitted only in Virginia •Practice Limited to Federal Agencies

November 12, 2004

WRITER'S DIRECT NUMBER: (202) 772-8525
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Mail Stop: Amendment

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Re:

U.S. Utility Patent Application

Appl. No. 09/732,914; Filed: December 11, 2000

For: Use of Multiple Recombination Sites with Unique Specificity in

Recombinational Cloning

Inventors:

CHEO et al.

Our Ref:

0942.5010002/RWE/BJD/JKM

Sir:

Transmitted herewith for appropriate action are the following documents:

- 1. Tenth Supplemental Information Disclosure Statement;
- 2. List of cited references on Form PTO-1449 (6 sheets);
- 3. Copies of references AO9-AP9, AL10-AO10 and AS117-AS122 listed on Form PTO-1449 (22 documents);
- 4. Eleventh Supplemental Information Disclosure Statement;
- 5. List of cited references on Form PTO-1449 (14 sheets);
- 6. Copies of references AR200-AR213 listed on Form PTO-1449 (40 documents); and
- 7. One (1) return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Storme, Kessler, Goldstein & Fox RLLC.: 1100 New York Avenue, NW : Washington, DC 20005 : 202.371.2600 f 202.371.2540 : www.sitg/i.com

Commissioner for Patents November 12, 2004 Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Brian J. Del Buono Attorney for Applicants Registration No. 42,473

BJD/JKM:bac Enclosures

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

re application of:

Cheo et al.

Appl. No.: 09/732,914

Filed: December 11, 2000

For:

Use of Multiple Recombination Sites with Unique Specificity in

Recombinational Cloning

Confirmation No.: 2341

Art Unit:

1636

Examiner:

Ketter, J.S.

Atty. Docket: 0942.5010002/RWE/BJD/JKM

Tenth Supplemental Information Disclosure Statement

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450 Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

The numbering on this Tenth Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' Ninth Supplemental Information Disclosure Statement filed April 21, 2004, in connection with the above-captioned application.

Copies of documents AC7-AK7, AA8-AK8 and AA9-AE9 are not provided in accordance with the Changes To Support Implementation of the United States Patent and Trademark Office 21st Century Strategic Plan, effective October 21, 2004, which states "section 1.98(a)(2)(i) is amended to eliminate the requirement in paragraph (a)(2)(i) for a copy of each U.S. patent or U.S. patent application publication listed in an IDS in a patent application regardless of the filing date of the application." A copy of each other document is provided.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed - 2 -

Cheo *et al.* Appl. No. 09/732,914

publication dates on the attached Form PTO-1449 based on information presently available to the

undersigned. However, the listed publication dates should not be construed as an admission that the

information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any

of the information provided herewith, and/or to prove that this information may not be prior art,

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that information more material to the examination of the present patent application does not exist.

The Examiner is specifically requested not to rely solely on the material submitted herewith.

This Information Disclosure Statement is being filed before the mailing of a first Office

Action after the filing of a Request for Continued Examination under 37 C.F.R. § 1.114. No

statement or fee is required.

It is respectfully requested that the Examiner initial and return a copy of the enclosed Form

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Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Brian J. Del Buono Attorney for Applicants

Registration No. 42,473

Date: New York Avenue, N.W. Washington, D.C. 20005-3934

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	AC7	20	002/0007051	01/17/2002	Cheo et al.			12/11/2000
	AD7	20	02/0068290	06/06/2002	2 Yarovinsky			05/31/2001
	AE7	20	02/0094574	07/18/2002	2 Hartley et al.			05/16/2001
	AF7	20	02/0172997	11/21/2002	Hartley et al.			07/19/2001
	AG7	20	02/0192819	12/19/2002	2 Hartley et al.			07/19/2001
	AH7	20	03/0027289	02/06/2003	3 Farmer			04/05/2002
	AI7	20	03/0054555	03/20/2003	Farmer et al.			09/17/2002
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

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Page 2 of 6 ATTY. DOCKET NO. APPLICATION NO. 0942.5010002/RWE/BJD/JKM 09/732,914 FORM PTO-1449 APPLICANT(S) Cheo et al. TENTH SUPPLEMENTA FILING DATE ART UNIT INFORMATION DISCLOSURE December 11, 2000 1636 **U.S. PATENT DOCUMENTS EXAMINER** DOCUMENT NUMBER CLASS SUB-CLASS DATE NAME FILING DATE 2003/0064515 04/03/2003 Hartley et al. 01/30/2002 AA8 2003/0068799 AB8 04/10/2003 Hartley et al. 06/06/2002 AC8 2003/0077804 04/24/2003 Byrd et al. 04/19/2002 07/03/2003 AD8 2003/0124555 Brasch et al. 05/21/2002 AE8 2003/0153055 08/14/2003 Miles et al. 02/20/2003 AF8 2003/0157716 08/21/2003 Hartley et al. 11/02/2001 2003/0157662 11/13/2002 AG8 08/21/2003 Gerard et al. 2003/0175970 09/18/2003 Hartley et al. 11/21/2002 AH8 AI8 2003/0176644 09/18/2003 Byrd et al. 02/07/2002

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	AL10	WO 02/08391	01/31/2002			000 0200	Yes
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	AP						No

	-		OTHER (Including Author, Title, Date, Pertinent Pages, etc.)
	AR	118	Hartley, J.L., et al., "DNA Cloning Using In Vitro Site-Specific Recombination," Genome Res. 10:1788-1795, Cold Spring Harbor Laboratory Press (November 2000)
	AS	118	Heyman, J.A., et al., "Genome-Scale Cloning and Expression of Individual Open Reading Frames Using Topoisomerase I-Mediated Ligation," Genome Res. 9:383-392, Cold Spring Harbor Laboratory Press (April 1999)
	AT	118	Lenski, R.E., et al., "Genetic Analysis of a Plasmid-Encoded, Host Genotype-Specific Enhancement of Bacterial Fitness," J. Bacteriol. 176:3140-3147, American Society For Microbiology (1994)
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EXAMINER DATE CONSIDERED

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	AS	122	Office Action fo	or U.S. Pate	ent Application No.	09/695,065, m	nailed (on October 2	27, 2004
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re application of:

Cheo et al.

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Sites with Unique Specificity in

Recombinational Cloning

Confirmation No.: 2341

Art Unit: 1636

Examiner: Ketter, J.S.

Atty. Docket: 0942.5010002/RWE/BJD/JKM

Eleventh Supplemental Information Disclosure Statement

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450 Sir:

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Cheo *et al.* Appl. No. 09/732,914

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The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Brian J. Del Buono Attorney for Applicants Registration No. 42,473

Date: New York Avenue, N.W. Washington, D.C. 20005-3934 (202) 371-2600

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ELEVENTH SUPPLEMENTAL
INFORMATION DISCLOSURE

ATTY. DOCKET NO.

0942.5010002/RWE/BJD/JKM

APPLICATION No. 09/732,914

Page 1 of 14

APPLICANT(S)

Cheo et al.

FILING DATE
December 11, 2000

ART UNIT 1636

December 11, 2000 **U.S. PATENT DOCUMENTS EXAMINER** DOCUMENT NUMBER DATE NAME CLASS SUB-CLASS FILING DATE INITIAL 02/28/1989 Stroman et al. 10/30/1984 AA20 4,808,537 AB20 Stroman et al. 09/25/1985 4,855,231 08/08/1989 AC20 4,959,217 09/25/1990 Sanders et al. 05/22/1986 AD20 5,654,182 08/05/1997 Wahl et al. 06/07/1995 2002/0106797 08/08/2002 Miles et al. 03/12/2001 AE20 ΑF AG AH ΑI ΑJ ΑK FOREIGN PATENT DOCUMENTS **EXAMINER** COUNTRY SUB-CLASS INITIAL DOCUMENT NUMBER DATE CLASS **TRANSLATION** Yes ΑL No Yes AM No Yes AN No Yes AO No Yes ΑP No OTHER (Including Author, Title, Date, Pertinent Pages, etc.) Agah, R., et al., "Gene Recombination in Postmitotic Cells. Targeted Expression of Cre Recombinase Provokes Cardiac-restricted, Site-specific Rearrangement in Adult Ventricular AR 200 Muscle In Vivo," J. Clin. Invest. 100:169-179, The American Society for Clinical Investigation, Inc. (July 1997) Benoist, C. and Chambon, P., "In vivo sequence requirements of the SV40 early promoter 200 AS region," Nature 290:304-310, Macmillan Journals, Ltd. (1981) Botstein, D., et al., "Making Mutations In Vitro and Putting Them Back Into Yeast," in From AΤ 200 Gene to Protein: Translation into Biotechnology, Ahmad, F., et al., eds., Academic Press, New York, NY, pp. 265-274 (1982)

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

FORM PTO-14-9

ELEVENTH SUPPLEMENTARADE REPORTS

INFORMATION DISCLOSURE STATEMENT

ATTY. DOCKET NO. 0942.5010002/RWE/BJD/JKM

APPLICATION No. 09/732,914

Page 2 of 14

APPLICANT(S)

Cheo et al.
FILING DATE

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December 11, 2000

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ATTY. DOCKET NO. 0942.5010002/RWE/BJD/JKM

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ATTY. DOCKET NO. APPLICATION NO. 0942.5010002/RWE/BJD/JKM 09/732,914

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